

The Gazette of India



EXTRAORDINARY

PART II—Section 3

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GOVERNMENT OF AJMER
(Local Self Government Department)
NOTIFICATION

Ajmer, the 29th September 1956

S.R.O. 2218.—In exercise of the powers conferred on him by section 43 of the Ajmer-Merwara Municipalities Regulation, 1925 (VI of 1925) as subsequently amended from time to time read with the Government of India, late Home Department Notification No. F.126/37-Public, dated the 1st April, 1937, the Chief Commissioner, Ajmer makes the following amendments in the Ajmer State Municipalities Elections Rules, 1955, the same having been previously published in the Gazettes of India—Extraordinary, Part II, Section 3, dated the 30th August, 1956 and dated the 5th September, 1956 at pages 1803-04 and pages 1931-32 respectively:—

Amendments

I. For rule 7 of the said Rules, the following rule shall be substituted, namely:—

7. *Draft Electoral Rolls.*—The electoral rolls of the Parliamentary Constituency comprising the area covered by the Municipality, which are in force immediately before the date of publication of the draft electoral rolls, shall be the draft electoral rolls of the Municipality.

II. The following rules shall be inserted after Rule 7:—

7-A. *Publication of Draft Electoral Roll.*—(a) The District Magistrate shall publish the draft electoral rolls by making a copy thereof available for inspection and displaying a notice in Form A—

1. at his office;
2. at the office of the Sub-Divisional Officer concerned;
3. at the office of the Municipality concerned;
4. or at such place as may be specified by him for the purpose.

(b) The District Magistrate may also give further publicity to the Notice in Form A as he may consider necessary.

7-B. *Period and manner for lodging claims and objections.*—(1) Every claim for the inclusion of a name in the electoral roll and every objection to an entry therein shall be lodged within a period of 21 days from the date of publication of the draft roll under Rule 7A.

(2) A claim or objection shall be addressed to the District Magistrate or to such officer as may be specified in the notice in Form A.

(3) No person shall prefer an objection to the inclusion of any name in the electoral roll unless his name is already included in that electoral roll.

(4) Where any person desires the transfer of his name from the electoral roll for any ward of municipality to another ward of the municipality, he shall prefer to the District Magistrate or to the officer specified in notice in Form A, first an objection to the inclusion of his name in the former roll, and secondly a separate claim for the inclusion of his name in the latter roll.

7-C. Inquiry into claims and objections.—(1) The District Magistrate or the officer specified in notice in Form A shall, before deciding whether or not to allow the claim or objection, cause to be served—

(a) in the case of a claim, a notice on the claimant; and

(b) in the case of an objection, a notice on the objector and on the person to the inclusion of whose name the objection relates:

Provided that it shall not be necessary to serve any such notice where the District Magistrate or the officer specified in notice in Form A on being satisfied as to the validity of the claim or objection decides to allow it without further inquiry.

(2) The District Magistrate or such officer specified in notice in Form A shall hold a summary inquiry into every claim or objection and the orders passed by him shall be final.

III. For rule 8 of the said rules the following rule shall be substituted, namely:—

8. Final Electoral Roll.—The District Magistrate shall prepare a list of amendments in view of the decisions passed on claims and objections and thereafter publish the rolls together with the lists of amendments by making a copy thereof available for inspection and displaying a notice in Form B, at the places where the rolls in draft were published under Rule 7-A. On such publication the rolls together with the list of amendments, shall be the final electoral rolls for the municipality and shall remain in force until a new list is published in accordance with these rules.

IV. The following forms namely, Form A and Form B shall be inserted before Form I in Schedule I of the said rules:—

FORM A

(See Rule 7-A)

Notice of publication of Draft Electoral Rolls

Notice is hereby given that electoral rolls of _____ municipality (Ward No. _____ to _____) will be available for inspection at _____ during office hours.

Every claim for the inclusion of a name in the roll and every objection to the inclusion of any other person's name in the roll or to any particulars in any existing entry therein shall be made on or before the _____ day of _____ 19_____.

Every claim or objection shall be presented to the undersigned or to

Place _____

Date _____

District Magistrate, Ajmer.

FORM B

(See Rule 8)

Notice of final publication of Electoral Rolls

It is hereby notified for public information that the lists of amendments to the draft electoral rolls of the lists of amendments to the draft electoral rolls of the _____ Municipality (Ward No. _____) to _____ have been prepared in accordance with the Ajmer State Municipalities Election Rules 1955 as modified from time to time and a copy of the said rolls together with the said lists of amendments has been published and will be available for inspection at _____.

Place

Date

District Magistrate, Ajmer.

V In sub-rule (1) of rule 17 of the said Rules:—

(a) After the words "notice in writing" occurring at the end of the first sentence, the words "in form No. 11" shall be added.

(b) At the end of this sub-rule the following words shall be added:—

"The notice of withdrawal shall be published by the Returning Officer in Form No. 12."

VI In rule 30 of the said Rules the following words may be added at the end.—

"The identity slip shall be in Form No. 13."

VII. After rule 52 of the said Rules, the following new rule shall be inserted, and shall be numbered as Rule No. 53 and the existing rules 53, 54 and 55, will be renumbered as 54, 55 and 56:—

"53. *Refund of Security Deposit*—(1) If a candidate by whom or on whose behalf the deposit referred to in the Rule 14 has been made, withdraws his candidature in the manner and within the time specified in Rule 17 or if the nomination of any such candidate is rejected the deposit shall be returned to the person by whom it was made and if, any candidate dies before the commencement of the poll, any such deposit, if made by him shall be returned to his legal representatives or, if not made by the candidate, shall be returned to the person by whom it was made.

(2) If a candidate nominated under rule 13 by whom or on whose behalf a deposit has been made under rule 14 is not elected, and the number of votes polled by him does not exceed one-sixth of the total number of votes polled or in the case of constituency returning more than one member one-sixth of the total number of votes polled divided by the total number of members to be elected, the deposit shall be forfeited.

(3) For the purposes of sub-section (2) the number of votes polled shall be deemed to be the number of ballot papers, other than rejected ballot papers, counted.

(4) The deposit made by or on behalf of a candidate under Rule 14 shall, where it is not forfeited under sub-section (2), be returned to such candidate or to the person who has made the deposit on his behalf as the case may be, after the publication of the result of the election in the official Gazette."

VIII. At the end of Schedule I appended to the said Rules the following forms No. 11, 12, 13, shall be inserted:—

"FORM 11

To,

The Returning Officer, for _____
Municipal Elections 19 _____ for Ward No. _____ of _____
(Place).

Sir,

I, _____ of Ward No. _____
 of _____ Municipal Committee, S. No. _____ in the rolls,
 a candidate nominated at the above election do hereby give notice that I withdraw my candidature.

Date

Signature of Candidate.

This notice of withdrawal was delivered at my office/at _____
 on _____ (date) by the candidate/candidate's proposer or subscriber who has been authorised by the candidate in writing to deliver it.

Signature of Returning Officer.

FORM 12

Notice of withdrawal of candidature

Notice of withdrawal of candidature for the election to the _____
 Municipal Committee for Ward No. _____ has or have been received
 on _____ from the following:

(Name/Names of candidates)

1.

2.

3.

Returning Officer.

Date

FORM 13

Election to _____ Municipal Committee, 19 .

1. Number of the voter on the electoral roll of Ward No. _____
 for _____ Municipality.
2. The name of the Voter.
3. Signature or T.I. of Voter."

[No. 6/3/56-LSG.]

By order of the Chief Commissioner,
 N. M. KOTHARI, Dy. Secy.